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Utah Substance Abuse and Anti-Violence Coordinating Council

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Minutes USAACV Council

Wednesday, December 8, 2004
1:30 pm to 3:30 pm

Governor's Mansion
603 E. South Temple

Present: Wayne Ball, Randall Bachman, Dan Becker, Paul Boyden, Susan Burke, Col. Merrill Carter, Blake Chard, Lt. Col. Scott Duncan, Craig Harrison, Brandon Hatch, Gary Jorgensen, Brent Kelsey, Verne Larsen, Rep. Ty McCartney, Ed McConkie, Harold Morrill, Diane Ngatuvai, Bill Reese, Terry Russo, Mayor JoAnn Seghini, Jack Tanner, Kirk Torgensen, Anna Kay Waddoups, Governor Olene Walker

I. Welcome & Introductions

Gary Jorgensen

- Introduction of new member

Craig Harrison was introduced. He is the Vice Chair of the Utah Domestic Violence Council and will be replacing Stewart Ralphs as their representative on the Council.

- Approval of September 10, 2004 minutes

Action Taken: *The minutes were approved unanimously.*

II. Update on Meth Lab Clean Up Standards

Wayne Ball & Bill Reese

- Department of Health rules

Wayne Ball, toxicologist for the Department of Health, gave an overview of the Illegal Drug Operations Decontamination Standards draft rules. This proposed rule establishes decontamination and sampling standards for property contaminated by illegal drug operations as required by HB 123. The rules outline the steps property owners or decontamination specialists must follow in order to have their property deemed decontaminated and removed from the local health department's list of contaminated properties.

Some concern was expressed regarding what incentive property owners would have to follow through on clean up due to the cost. Enforcement of these rules was also questioned. Wayne responded that the local health departments have the authority to conduct their own testing on property if they choose. He pointed out, however, that no funding was provided in the bill to allow for the testing so it is something the departments would have to do within their existing resources.

- Department of Environmental Quality rules

Bill Reese from the Department of Environmental Quality outlined the proposed rules for decontamination specialists. He estimates that 30-50 contractors might apply for certification. They anticipate that even

though HB 123 allows property owners to conduct their own decontamination, that owners would likely hire a specialist due to the high decontamination standards set forth in the rules.

III. DUI Committee Report

Anna Kay Waddoups

- 2004 DUI Annual Report

Anna Kay Waddoups, DUI Committee Chair, thanked Susan Burke for her tremendous work on the *Second Annual DUI Report to the Utah Legislature*. The report outlines what appears to be working to reduce DUI and recommends what still needs to be done. The report can be accessed on-line:

www.usaav.utah.gov

- Appropriation support for DUI data systems

The Committee is supporting a budget recommendation to appropriate \$1 million through the Department of Public Safety in support of the DUI data systems.

Post Script: The Governor's Budget did not include the \$1 million. No specific reason was given for this omission.

- NCADD National Award

Lt. Col. Scott Duncan

Lt. Colonel Duncan traveled to Washington, DC on behalf of Governor Walker to accept the National Commission Against Drunk Driving Award for Utah's efforts to reduce traffic fatalities involving alcohol. In Utah 22% of highway fatalities are attributed to DUI, while nationally the alcohol-related fatalities rate approached the 40% mark. From 1998 to 2004, Utah had the lowest percentage of alcohol-related highway deaths in the nation. From 2002-2003 the state had the largest decrease in alcohol-related deaths anywhere in the nation. The Utah Highway Patrol averages one DUI arrest for every five-hour overtime shift. Currently every UHP fatal crash investigation will trace back where the alcohol was purchased and who might be criminally liable. They are determined to get the message through to the public that drinking and driving in Utah is not acceptable.

- Alcohol Funds compliance

Diane Ngatuvai

Diane Ngatuvai reported that four cities have yet to turn in their alcohol reports that were due initially on October 8, 2004. Funding will be distributed by the Utah State Tax Commission on December 27, 2004. Several suggestions were made regarding how to obtain the 100% compliance by the first due date which included issuing a press release exposing who did not submit a report; withholding funds and requiring them to apply for the money or simply not distributing the funds and holding them over until the next year.

Action Taken: A motion was made by Colonel Carter to hold the funds of those that do not report by Friday, December 10 at 5:00 p.m. Next year give notice that any city or county that does not submit a report by the October deadline will be required to apply for the money. The motion was seconded by Rep. Ty McCartney and unanimously approved.

Mayor Seghini and Lt. Colonel Scott Duncan volunteered to contact the four municipalities with reports still outstanding and make them aware of the situation.

Post Script: All four cities submitted their reports by Friday, December 10, 2004. Special thanks to Mayor Seghini and Lt. Colonel Duncan for their efforts.

IV. DORA Workgroup

Susan Burke

- Review of committee-endorsed bill

Susan stated that the Drug Offender Reform Act was selected to be a Committee Bill by the Law Enforcement and Criminal Justice Interim Committee. The USAAV Council will have a prominent role in developing the DORA implementation plan and she is suggesting that we deferred much of this work to the existing DORA workgroup.

Action Taken: A motion was made by Harold Morrill to approve the DORA bill. Colonel Carter seconded the motion. The motion passed unanimously.

Post Script: DORA's first year of funding was included in Governor Walker's budget.

V. Director's Report

Susan Burke

- **DEC Workgroup: Baby Your Baby February Campaign**

The Drug Endangered Unborn Children Workgroup has been asked to be responsible for the February Baby Your Baby Campaign. They will participate in an interview with Mary Nickles, KUTV, and distribute information on the station's website. The focus of the campaign will be about abstaining from tobacco, alcohol or illegal substances during pregnancy and how to obtain help.

Post Script: The campaign has been moved up to January. The spots will air at 4:55am and 8:55am on Friday, January 28. The segments are also available to watch via the Internet at <http://kutv.com/healthyliving/> or at www.babyyourbaby.org.

- **Alliance with Fetal Alcohol Syndrome Coalition**

USAAV is participating in this new coalition. A statewide summit on this issue is planned for next year.

- **Teen Dating Violence National Summit report & workgroup**

Susan attended the national summit in Washington, DC on this topic and recommended that we form a workgroup to improve awareness of this issue and to consider if laws are needed to provide protections for individuals in dating relationships.

Action Taken: A motion was made by Terry Russo and seconded by Rep. Ty McCartney to form a Teen Dating Violence Workgroup in partnership with the Utah Domestic Violence Council.

VI. Presentation of USAAV Governor's Awards

Gov. Olene Walker

Governor Walker presented the USAAV Governor's Award to two very deserving individuals. Brent Kelsey, Division of Substance Abuse and Mental Health, was recognized for the work he has done in managing and developing substance abuse treatment programs for the criminal justice population. Brent has also provided oversight and management for Utah's tremendously successful Drug Court program.

Paul Boyden, Executive Director of the Statewide Association of Prosecutors, was recognized for his ongoing efforts to draft and pass legislation aimed at DUI offenders. Paul works with local prosecutors to identify areas that may need improvement. He has helped craft DUI laws that enhance our public safety and also get the offenders into much needed treatment programs.

VII. Next Meeting

The Council will not meet during the Legislative Session. Instead, members from the USAAV Executive Committee will meet each Monday during the Legislative Session to review bills and make recommendations. Susan will email weekly legislative updates.

The next meeting of the USAAV Council is scheduled as follows:

Date: Wednesday, March 9, 2005

Time: Noon to 2:00 pm (location to be announced)